

Desert Recreation District Administrative Manual

SUBJECT: Distribution of Tickets and Passes to Officials

SECTION: General Administration **POLICY NUMBER:** AP 014

DATE PREPARED: March 19, 2010 **DATE REVISED:** March 19, 2010

Purpose of Policy

The purpose of this policy is to ensure that any ticket or pass provided to the District by any third party or purchased or obtained directly by the District shall be distributed to District officials (or any non-District individual or non-District organization at the behest of a District official) by the District Manager in a manner that serves or promotes a public purpose of the District. This policy is in addition to any other gift regulations of the District, FPPC or state law.

Definitions

For purposes of this policy, the following words, terms and phrases shall have the following meanings:

1. "District Official" shall mean any District Board member, employee, or an independent contractor required to file a Form 700.
2. "Gift" shall mean anything that is received by a District Official that the District Official did not provide consideration of equal or greater value for or that represents a rebate or discount that is not provided in the regular course of business to a members of the public without regard to official status.
3. "Third party" shall mean the source of any ticket or pass, other than the District or a District Official.
4. "Ticket" or "pass" shall mean any ticket, pass, etc. that provides admission to a facility, event, show, or performance for entertainment, amusement, recreation or other similar purpose. It shall not mean a ticket or pass to an educational event. It does not include the value of food or beverages or other items provided at the event.

Administration of Policy

The General Manager or his/her designee shall be responsible for administering this policy.

Tickets and Passes Distribution Policy

All tickets and passes offered or provided to the District by a third party or purchased or otherwise obtained directly by the District shall be subject to the following provisions:

1. The District shall not accept from any third party any ticket or pass that is specifically earmarked for use by a particular District official whether by name or position, unless one of the following applies:
 - a. The ticket or pass is offered or provided to the District pursuant to the terms of a contract for use of District-owned property.
 - b. The ticket or pass is offered or provided to the District as a result of an official District event that the District controls.
 - c. The ticket or pass is purchased by the District from the third party for full market value.
2. The District Manager or his or her designee shall document in writing the receipt of all tickets and passes provided to the District by a third party.
3. Tickets and passes shall only be provided to District officials (or non-District individuals or non-District organizations at the behest of a District official) by the District Manager or his or her designee for a legitimate public purpose of the District, as set forth in this policy.
4. The District Manager or his or her designee shall decide, consistent with this Policy, which District Officials should be provided with a ticket or pass.
5. Within 30 days of distributing any ticket or pass pursuant to this policy, the District Manager or his or her designee, shall complete and cause to be posted a Fair Political Practices Commission ("FPPC") Form 802 on the District's website, with such posting on the website and a hard copy of the Form to be retained for a period of at least four (4) years.

Public Purposes

Any ticket or pass provided to a District official by the District Manager under this policy shall not constitute a gift if provided and used by the District official for any of the following purposes:

1. Promotion of District resources and facilities available to residents or others.
2. Promotion of District-operated sponsored or supported community programs.
3. Promotion of District recognition, visibility and/or profile on a local, state, national or worldwide scale.
4. Promotion of open government by District official appearances, participation and/or availability at business and/or community events.
5. Promotion of the improvement of inter-governmental relations.
6. Attendance at events sponsored by other governmental agencies, industry groups and non-profit organizations for the purpose of meeting and conferring with other governmental officials or business representatives regarding issues of interest to, or affecting, the District.
7. Recognizing contributions made to the District by former or current District Board members or District employees.

Exemptions

The following tickets and passes shall be exempt from the provisions of this policy, with the exception of any reporting requirements set forth by the FPPC:

1. A ticket or pass received by a District official directly from a third party that does not constitute a gift under the Political Reform Act, that the District official uses to perform a ceremonial role or function on behalf of the District.
2. A ticket or pass received by a District official that the District official reports as a gift on his/her Form 700 (Statement of Economic Interest).
3. A ticket or pass received by a District official from the District where both the District Official and the District treat and report the value of the ticket or pass as income consistent with applicable state and federal income tax laws and the ticket is reported as income pursuant to the provisions of this policy.

Prohibition Against Transfer

A District official who receives a ticket or pass pursuant to this policy is prohibited from transferring or selling the ticket or pass to any other person, except to members of the District official's immediate family solely for personal use.